

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>LARRY WALTER VARVEL,</b>	:	<b>CIVIL NO. 3:14-CV-1759</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Munley)</b>
	:	
<b>v.</b>	:	
	:	
<b>TODD HOOVER, DAUPHIN PRISON,</b>	:	
	:	
<b>Defendants</b>	:	

.....

**ORDER**

**AND NOW**, to wit, this 24<sup>th</sup> day of September 2014, in accordance with the court's memorandum of the same date, it is hereby ORDERED that:

1. The motion to proceed *in forma pauperis* (Doc. 2) is construed as a motion to proceed without full prepayment of fees and costs and is GRANTED.
2. Plaintiff's complaint (Doc. 1) is DISMISSED pursuant to 28 U.S.C. §1915(e)(2)(B)(i), (ii) and (iii).
3. The Clerk of Court is directed to CLOSE this case.
4. Any appeal from this order is DEEMED frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

**BY THE COURT:**

**s/James M. Munley  
JUDGE JAMES M. MUNLEY  
United States District Court**